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**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

Anwar, *et al.*,

Plaintiffs,

vs.

Fairfield Greenwich Limited, *et al.*,

Defendants.

MASTER FILE
Civil Action No.: 09-CV-0118 (VM)

**STIPULATION AND ORDER OF SUBSTITUTION OF COUNSEL**

IT IS STIPULATED AND AGREED that, pursuant to Local Civil Rule 1.4, the law firm Mayer Brown LLP withdraws as counsel for defendant Andrew Smith, and the law firm Simpson Thacher & Bartlett LLP shall appear as counsel for Andrew Smith.

Dated: March 30, 2009

SIMPSON THACHER & BARTLETT LLP

By: ________________
Peter Kazanoff
email: pkazanoff@stblaw.com
425 Lexington Avenue
New York, N.Y. 10017-3954
Telephone: (212) 455-2000
Facsimile: (212) 455-2502

*Successor Attorneys for defendant Andrew Smith*

MAYER BROWN LLP

By: ____________________

Steven Wolowitz
Joseph De Simone
Michael L. Simes

1675 Broadway, 20th Floor
New York, NY 10019
Telephone: (212) 506-2500
Facsimile: (212) 262-1910
swolowitz@mayerbrown.com
jdesimone@mayerbrown.com
msimes@mayerbrown.com

*Withdrawing Attorneys for defendant Andrew Smith*

**SO ORDERED:**

____________________ 13 April, 2009
The Honorable Victor Marrero
United States District Judge

**UNITED STATES DISTRICT COURT**
**FOR THE SOUTHERN DISTRICT OF NEW YORK**

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|---|---|
| Anwar, *et al.*,<br><br>Plaintiffs,<br><br>vs.<br><br>Fairfield Greenwich Group, *et al.*,<br><br>Defendants. | MASTER FILE<br>Civil Action No.: 09-CV-0118 (VM) |

**AFFIDAVIT OF PETER KAZANOFF**

STATE OF NEW YORK )
: ss.:
COUNTY OF NEW YORK )

Peter E. Kazanoff, being duly sworn, deposes and says:

1. I am a member of the law firm Simpson Thacher & Bartlett LLP ("Simpson Thacher"). I am admitted to practice in the United States District Court for the Southern District of New York. I submit this affidavit pursuant to Local Civil Rule 1.4 in support of the accompanying Stipulation and Order of Substitution of Counsel for Andrew Smith in the above-captioned proceeding.

2. Simpson Thacher has executed the attached Stipulation and Order of Substitution of Counsel because Andrew Smith wishes to be represented by Simpson Thacher in this matter in place of the law firm of Mayer Brown LLP. Simpson Thacher is familiar with the facts of this case and is prepared to assume the representation of Andrew Smith effective immediately. Discovery has not yet commenced and this matter is not ready for trial. This substitution will not delay the trial of this action or have any adverse effect on any party in this suit.

Peter E. Kazanoff

Sworn to before me this

2nd day of April, 2009

Notary Public

VERA P COPPOLA
NOTARY PUBLIC, State of New York
No 01CO6061355
Qualified in Queens County
Certificate Filed in New York County
Commission Expires 7/16/2011

**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF NEW YORK**

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|---|---|
| Anwar, *et al.*,<br><br>Plaintiffs,<br><br>vs.<br><br>Fairfield Greenwich Limited, *et al.*,<br><br>Defendants. | MASTER FILE<br>Civil Action No.: 09-CV-0118 (VM) |

STATE OF NEW YORK )
) ss:
COUNTY OF NEW YORK )

**AFFIDAVIT**

Joseph De Simone, being duly sworn, deposes and says as follows:

1. I am a member of the bar of this Court and am a member of the firm Mayer Brown LLP, which is currently counsel of record for defendant Andrew Smith ("Smith") in the above-captioned action.

2. I submit this affidavit in support of the application to substitute Simpson Thacher & Bartlett LLP as the attorney of record for Smith in this action in place and instead of its current counsel.

3. On or about January 14, 2009, I filed a Notice of Appearance in this action on behalf of Smith.

4. On or about January 14, 2009, Steven Wolowitz filed a Notice of Appearance in this action on behalf of Smith.

5. On or about January 22, 2009, Michael L. Simes filed a Notice of Appearance in this action on behalf of Smith.

6. Smith has requested the proposed substitution of counsel, which should cause no delay in the proceedings of this case.

7. Mayer Brown LLP and Simpson Thacher & Bartlett LLP have both executed the Stipulation and Order of Substitution of Counsel, which accompanies this application.

WHEREFORE, it is respectfully requested that the application for substitution be granted.

Joseph De Simone

SWORN to before me this
1st day of April, 2009

Notary Public

THOMAS J. BRENNAN
Notary Public, State of New York
No. 01BR5048229
Qualified in Dutchess County
Commission Expires August 21, 2009